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February 16, 2016

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The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
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ADOPTED

BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES

#18 OF FEBRUARY 16, 2016

Agenda No. 7
10/27/15


PATRICK OGAWA
ACTING EXECUTIVE OFFICER

Re: **PROJECT NO. R2012-01555-(3)**
CONDITIONAL USE PERMIT NO. 2015-00066-(3)
VARIANCE NO. 2012-00004-(3)
THIRD SUPERVISORIAL DISTRICT/THREE-VOTE MATTER

Dear Supervisors:


Your Board previously conducted a duly-noticed public hearing regarding the above-referenced permits, to authorize the development of a bed and breakfast facility at 1820 North Topanga Canyon Boulevard and a single-family residence at 1832 North Topanga Canyon Boulevard in the unincorporated north area of Santa Monica in the Malibu Zoned District.

At the completion of the hearing, you indicated your intent to approve the project and instructed our office to prepare findings and conditions for your approval. Enclosed are findings and conditions for your consideration.

Very truly yours,

MARY C. WICKHAM
County Counsel

By


ELAINE M. LEMKE
Acting Assistant County Counsel
Property Division

APPROVED AND RELEASED:


THOMAS J. FAUGHNAN
Senior Assistant County Counsel

EML:ph
Enclosures

c: Sachi A. Hamai, Chief Executive Officer
Patrick Ogawa, Acting Executive Officer, Board of Supervisors
HOA.1885202.1

**FINDINGS OF THE BOARD OF SUPERVISORS
AND ORDER
PROJECT NO. R2012-01555-(3)
CONDITIONAL USE PERMIT NO. 2015-00066-(3)
VARIANCE NO. 2012-00004-(3)**

1. The Los Angeles County ("County") Board of Supervisors ("Board") conducted a duly-noticed public hearing on October 27, 2015, in the matter of Project No. R2012-01555-(3), consisting of Conditional Use Permit No. 2015-00066-(3) ("CUP") and Variance No. 2012-00004-(3) ("Variance") (collectively the "Project"). The County Regional Planning Commission ("Commission") previously conducted a duly-noticed public hearing on the Project on May 20, 2015 and continued on June 17, 2015.
2. The Project covers two developments on adjacent parcels, a bed and breakfast ("B&B Project") on one parcel located at 1820 North Topanga Canyon Boulevard (the "B&B Project Site"), and a single-family residence ("Home Project") located at 1832 North Topanga Canyon Boulevard (the "Home Project Site") for which the Variance is required. Those two parcels, zoned A-1-5 (Light Agriculture - Five Acre Minimum Required Area), are located in the Malibu Zoned District in the Santa Monica Mountains North Area (collectively the "Project Sites").
3. The Project applicants, William and Carrie Carrier ("Applicants"), request the Variance to construct a single-family residence and residential structures on the Home Project Site within the protected 50-foot vertical area of a designated significant ridgeline as required by Los Angeles County Code ("County Code") Section 22.44.133.D.5, a part of the Santa Monica Mountains North Area Community Standards District ("North Area CSD").
4. The Applicants request the CUP for the B&B Project to authorize construction of one single-family residence with a bed and breakfast establishment on the B&B Project Site. Pursuant to the North Area CSD (Section 22.44.133.E of the County Code), a conditional use permit is required to establish a bed and breakfast in the Santa Monica Mountains North Area.
5. The Applicants also initially requested a conditional use permit for a proposed bed and breakfast on the Home Project Site. At the request of the Commission, the Project was modified to include two separate conditional use permit applications, one for each parcel. Subsequent to the Commission hearing, however, the Applicants withdrew their application for the second bed and breakfast which had been proposed on the Home Project Site, seeking only to develop a single-family residence on that site. Accordingly, one set of findings and conditions are prepared for the Project.
6. The Home Project Site (1832 North Topanga Canyon Boulevard) is 3.06 gross acres in size and consists of one legal lot, while the B&B Project Site (1820 Topanga Canyon Boulevard) is 5.62 gross acres in size and consists of

one legal lot. Both parcels are irregular in shape with gentle to steeply sloping topography and, except for previously graded pads and driveway access, are undeveloped.

7. The Project Sites are located within the N5-Mountain Land 5 (one dwelling unit per five acres) land use category of the Santa Monica Mountains North Area Land Use Policy Map.
8. Surrounding zoning within a 500-foot radius of the Project Sites includes:

North: A-1-5, O-S (Open Space), and C-2 (Neighborhood Business);
South: R-1-1 (Single-Family Residence - one acre minimum required area); and R-1-5 (Single Family Residence - five acres minimum required area);
East: A-1-5, and O-S; and
West: C-2, and A-1-5.
9. Surrounding land uses within a 500-foot radius of the Project Sites include:

North: Undeveloped privately-owned property, recreational open space;
South: Single-family residential;
East: Undeveloped privately-owned property, recreational open space; and
West: Commercial retail establishment.
10. Both Project Sites were rezoned from R-1-12,000 (Single-Family Residence – 12,000 square foot minimum required area) to A-1-5 in 2002. Except for approved grading activities for the building pads and driveway access, the Project Sites are undeveloped. Plot plans were approved in 2004 for both parcels (Plot Plan No. 2004-00123 for the B&B Project Site and Plot Plan No. 50312 for the Home Project Site), each for construction of a single-family residence. An administrative oak tree permit was also approved in 2004 for the Home Project Site in conjunction with the proposed development of a single-family residence.
11. The Home Project Site and the B&B Project Site share a 20-foot wide driveway off of North Topanga Canyon Boulevard that will provide ingress and egress to both sites. At the request of the Department of Public Works, the Project will be conditioned to require signage at the Project entrance limiting ingress and egress to right-turn only.
12. The site plan for the Home Project Site depicts a 3.06-acre parcel. The building square footage on the Home Project Site will be limited by Project conditions to 4,500 square feet including all accessory structures. Five initially proposed guest parking spaces for the Home Project Site shall be eliminated. The Board finds that to minimize aesthetic impacts, the height of the buildings on the Home

Project Site that are located within the vertical setback of the ridgeline must be limited to 16.5 feet.

13. The site plan for the B&B Project Site depicts a 5.62-acre parcel. The B&B Project proposes a 5,911-square-foot two-story residence and bed and breakfast with five guest rooms located in the main residential structure. One parking space is provided for each guest room for a total of five guest parking spaces. The B&B Project Site will also contain a 798-square-foot guest house and 564 square feet of patio space. The Board finds that it is necessary to prohibit swimming pools on the B&B Project Site.
14. Prior to public hearing, the Applicants conducted public outreach with community groups and residents in the area, providing project details and offering to meet with anyone who expressed such interest to address concerns brought forward. The Applicants also erected story poles prior to the Commission public hearing to demonstrate the height and massing of the proposed structures.
15. The County Departments of Fire, Public Health, Parks and Recreation, and Public Works were consulted regarding the Project and provided comments and recommendations, whose requested recommendations will be included in Project conditions. These include provision of two fire hydrants; one public hydrant along Topanga Canyon Boulevard and another private hydrant; requirements for fire vehicle access; automatic fire sprinklers; dedication of a 15-foot wide, multi-use trail easement linking Topanga Canyon Boulevard to the National Parks Service's Santa Maria Canyon trail; changes to the septic system; signage limiting ingress and egress to right-turn only; and compliance with County Low Impact Development requirements. Project conditions address the recommendation made by the various County departments.
16. An Initial Study was prepared for the Project in compliance with the California Environmental Quality Act (Public Resources Code Section 21000, et seq.) ("CEQA"), the State CEQA Guidelines, and Environmental Document Reporting Procedures and Guidelines for the County. Based on the Initial Study, Regional Planning staff determined that a Mitigated Negative Declaration ("MND") is the appropriate environmental document for the Project. The mitigation measures necessary to ensure the Project will not have a significant effect on the environment are contained in the Mitigation Monitoring and Reporting Program ("MMRP") prepared for the Project.
17. Prior to the public hearings, the County received several inquiries and comments about the Project, some sharing concerns regarding the Project's potential impact on local trail usage, fire safety, and potential future uses of the properties for wedding events or as an adult sober living facility, comments which are addressed by Project conditions. The County also received letters supporting the Project, refuting the environmental concerns and commenting on positive local involvement of the Applicant.

18. After closing its public hearing on June 17, 2015, the Commission approved a variance and conditional use permit for the Home Project Site that would have allowed a bed and breakfast at that site. With respect to the B&B Project Site, the Commission took no official action to approve or deny that project, but took it "off calendar," which was tantamount to a denial.
19. The Commission's decision was appealed to the Board by the Arteique/Deerhill Neighbors Coalition ("Coalition"). The Coalition objected to the Project, contending that proposed bed and breakfasts were out of character as to scale and use compared to the surrounding area.
20. At the October 27, 2015 Board hearing, staff from the Department of Regional Planning ("Regional Planning") explained the original proposed project for the two parcels and advised of the Commission's decision. Staff further explained that the Applicants had withdrawn their request for a conditional use permit to allow a bed and breakfast at the Home Project Site (1832 North Topanga Boulevard) and instead sought only the Variance to allow a single-family home at the Home Site Project and the CUP to operate a bed and breakfast within a single-family residence at the B&B Site.
21. There were nine speakers at the Board Public hearing, six in favor of the Project, which included both applicants, and three opposed, including the attorney for the Coalition. The Applicants confirmed the withdrawal of the request to operate a bed and breakfast at the Home Project Site. They also stated that there was wide community support for the Project, that they planned to build an eco-friendly and non-toxic facility for those with disabling chemical sensitivity, and there was a prevalence of illegal "Air B-n-Bs" in the area as compared to themselves who sought to operate legally. They identified their involvement in the Topanga community. Others testifying in support of the Project included members of various organizations in the Topanga area, who lauded the Applicants for their involvement in the community and for their willingness to allow continued trail use on the Project Sites. Those in support testified that there was a need for an eco-friendly bed and breakfast, that visual impacts to the ridgeline from the Home Project Site would be minimal, and that concerns about traffic were overstated.
22. Coalition counsel testified at the Board hearing that elimination of a bed and breakfast facility at the Home Project Site to allow only a single-family home was a positive change that could eliminate issues as to whether the development of the two parcels was too large and too intensive. He expressed concern, however, because he had not seen plans for the scaled-back single-family residence on the Home Project Site and thus could not analyze its impact. His concern was echoed by the other two people who testified against the Project at the Board hearing.
23. At the conclusion of public testimony, the Board closed the public hearing and indicated its intent to affirm in part and deny in part the decision of the Commission and thus grant the Variance to allow a single-family residence at the

Home Project Site and the CUP for the B&B Project Site to allow operation of a bed and breakfast subject to additional conditions. Those additional conditions were: limiting the height of the Home Project structures located within the ridgeline protected area to 16.5 feet; limiting the square footage of all buildings on the Home Project Site to 4,500 square feet; eliminating five parking spaces for the Home Project Site that were proposed when it was to be used as a bed and breakfast; prohibiting construction of a swimming pool on the B&B Site; and prohibiting outdoor noise and amplified music at the B&B Project after 10 p.m. daily. The Board also adopted the MND after the close of the hearing.

24. The Board finds that the proposed project on the Home Project Site is consistent with the Santa Monica Mountains North Area Plan N5 land use category designation which allows a density of one dwelling unit per five acres. This designation is intended for low-density development such as single-family housing, retreats, agriculture, campgrounds, bed and breakfast lodgings, and other local commercial and public facilities. The proposed density for the Home Project Site exceeds the limitation of one dwelling unit per five acres because it is 3.06 acres in area. However, an application for a certificate of compliance for the Home Project Site was submitted and reviewed prior to the adoption of the Santa Monica Mountains North Area Land Use Plan. Certificate of Compliance No. 01-055 was approved in July 2001 for the Home Project Site, thereby making it a legally established parcel, thus allowing development of a single-family residence on the Home Project Site as a non-conforming use. The proposed single-family home is consistent with permitted uses and with the intended character of the N5 land use category.
25. The Board finds that the proposed project on the B&B Project Site is consistent with the N5 land use category applicable to the parcel because one dwelling unit with a bed and breakfast is proposed for that five-plus acre site.
26. The Board finds that the Project is consistent with the A-1-5 zoning designation for the Project Site. The building materials, square footage, heights, and yards meet and exceed the minimum requirements for the zone. The Project Site is zoned for single-family residential development with allowance for bed and breakfast uses. The proposed projects on the B&B Project Site and the Home Project Site are similar to the rural, low-density, single-family residential development in the area. The Project fits into the site's topography with minimal additional grading proposed. The Project has been conditioned to address public safety concerns, including fire and traffic safety.
27. The Board finds that the Project is consistent with standards set forth in the North Area CSD. The design of the B&B Project maintains a residential character to ensure compatibility with the low-density rural residential nature of development in the area; and operating conditions for the bed and breakfast address North Area CSD standards regarding bed and breakfast uses. Likewise, the single-family home on the Home Project Site will be consistent with low-density rural

residential nature of the area. Combined, more than 90 percent of the Project Sites is located outside of the proposed developed building footprint area.

28. The materials to be used for the Project include earth-tone colored materials and native plants so that the Project blends into the area and to ensure aesthetic compatibility with adjacent development. The Project proposes minimal additional grading beyond the existing graded building pads, as well as providing mostly native landscaping, and is seeking to qualify for LEED platinum status through use of energy and water efficient features, and employment of context sensitive and creative design features.
29. To address public safety concerns, the Project will extend the water line across Topanga Canyon Boulevard to meet the Project needs and provide adequate water flow and pressure. The Project will contribute to fire safety in the area through the provision of on-site and public fire hydrants. In addition, the Project incorporated design adjustments to meet Fire Department concerns by adding automatic sprinklers and five-foot wide access paths around the perimeter of all structures.
30. Based on the foregoing, the Board finds that the Applicants have met the burden of proof for a conditional use permit as set forth in Section 22.56.040 of Title 22 of the County Code (the "Zoning Ordinance") for the B&B Project.
31. The Board finds that the Applicants have met the burden of proof for a variance for the Home Site Project as set forth in Section 22.56.290 of the Zoning Ordinance for the reasons set forth in Finding Nos. 32 through 37 below.
32. The Board finds that, in satisfaction of the significant ridgeline variance requirements of the North Area CSD under County Code Section 22.44.133.D.5.c.(1), alternate sites within the Home Project Site for the single-family home were considered and eliminated from consideration based on potential substantial habitat damage and additional disturbance to the natural topography of the Home Project Site. A building pad on the Home Project Site was graded prior to the adoption of the North Area CSD Significant Ridgeline Protection provisions and provides the least disruptive site for development. The plot plan for grading and construction of a single-family residence was applied for with PP50312 in July 2004 and approved, although only the grading was performed at the time.
33. The Board finds that, in satisfaction of the significant ridgeline variance requirements of the North Area CSD under County Code Section 22.44.133.D.5.c(2), the proposed development on the Home Project Site maintains the maximum view of the significant ridgeline through use of design features, such as minimized grading, reduced structural height to 16.5 feet maximum within the ridgeline setback, use of earth-toned colors and materials, and landscaping with a high ratio of native vegetation so that the structure blends in with the natural environment.

34. The Board finds that, in satisfaction of the variance requirements of County Code Section 22.56.330.A.1, the existing legally-graded pad and the natural habitat surrounding the graded pad on the Home Project Site present a special set of circumstances applicable to that site. Development on another area of the Home Project Site to comply with the ridgeline protection standards of the North Area CSD, County Code Section 22.44.133, would result in greater environmental impacts and disruption of the natural terrain than proceeding with development on the legally-graded building pad.
35. The Board finds that, in satisfaction of the variance requirements of County Code Section 22.56.330.A.2, allowing the proposed development within the significant ridgeline protection zone for the Home Project Site will not grant a special privilege inconsistent with the limitations upon other properties in the vicinity and zone in which the Home Project Site is located. The development is consistent in size and character with development in the area. Given the constraints of construction on the Home Project Site, allowing the development of a single-family residence as proposed grants the ability to develop the Home Project Site in a manner consistent with properties in the area. The grading for the cleared building pad was approved with Plot Plan No. 50312, filed in July 2004 and approved prior to the adoption of the significant ridgeline protection provisions of the North Area CSD.
36. The Board finds that, in satisfaction of the variance requirements of County Code Section 22.56.330.A.3, strict application of zoning regulations to the Home Project Site will result in practical difficulties and an unnecessary hardship, inconsistent with the general purpose of said regulations and standards. Development on an alternate area of the Home Project Site would force unnecessary additional impacts on the remainder of the largely undisturbed Home Project Site containing sensitive native scrub oak and live oak riparian habitat, in addition to requiring extensive additional grading which would disturb the natural topography of the Home Project Site.
37. The Board finds that, in satisfaction of the variance requirements of County Code Section 22.56.330.A.4, the adjustments to be granted with this variance to allow the residential structure on the Home Project Site within the protected area of the significant ridgeline will not be materially detrimental to the public health, safety, or general welfare, or to the use, enjoyment, or valuation of property of other persons located in the vicinity. The proposed structure incorporates design elements to minimize aesthetic impacts, and the height of the proposed structure shall be limited to one-story at 16.5 feet in height, intruding 11.5 feet into the 50-foot vertical protected area. The Home Project Site is adjacent to a single-family residence that was built on the applicable significant ridgeline; and, through context-sensitive design, the Home Project does not further aesthetically impact the area.
38. The Board finds that to ensure continued compatibility between the B&B Project Site and the surrounding land uses, it is necessary to limit the CUP to 30 years.

39. Pursuant to Sections 22.60.174 and 22.60.175 of the County Code, the community was properly notified of the public hearings by mail, newspaper, and property posting. Additionally, the Project was noticed and case materials were available on Regional Planning's website and at libraries located in the vicinity of the Topanga Canyon community.
40. The Applicants are subject to payment of the California Department of Fish and Wildlife ("CDFW") fees related to the Project's effect on wildlife resources pursuant to section 711.4 of the California Fish and Game Code.
41. The MND for the project was submitted to the State Clearinghouse and distributed for review by public agencies from December 10, 2014 to January 8, 2015. Comments were received from the CDFW requesting additional information on the impacts of fuel modification on the Project Sites and sensitive biological resources. Additional mitigation measures were also recommended regarding pre-construction biological surveys, incorporation of additional measures to avoid and mitigate for impacts to special status species, and mitigating against potential impacts to existing drainage features. The comments and recommendations of CDFW were addressed in the MND and incorporated into the MMRP.
42. The Board finds that the MMRP, prepared in conjunction with the MND, identifies in detail how compliance with its measures will mitigate or avoid potential adverse impacts to the environment from the Project. The Board further finds that the MMRP's requirements are incorporated into the conditions of approval for this Project, and that approval of this Project is conditioned on the Applicants' compliance with the attached conditions of approval and MMRP.
43. After consideration of the MND and MMRP, together with the comments received during the public review process, the Board finds on the basis of the whole record before it that there is no substantial evidence that the Project as conditioned will have a significant effect on the environment, and further finds that the MND reflects the independent judgment and analysis of the Board.
44. The location of the documents and other materials constituting the record of proceedings upon which the Board's decision is based in this matter is the Los Angeles County Department of Regional Planning, 13th Floor, Hall of Records, 320 West Temple Street, Los Angeles, California 90012. The custodian of such documents and materials shall be the Section Head of the Zoning Permits West Section, Department of Regional Planning.
45. Regarding the CUP, based on the foregoing, the Board finds that the proposed B&B Project with the attached conditions will be consistent with the adopted General Plan for the area; and the proposed use at the B&B Project Site will not adversely affect the health, peace, comfort, or welfare of persons residing or working in the surrounding area, will not be materially detrimental to the use, enjoyment, or valuation of property of other persons located in the vicinity of the

site, and will not jeopardize, endanger, or otherwise constitute a menace to the public health, safety, or general welfare.

46. Regarding the CUP, based on the foregoing, the Board further finds that the proposed B&B Project Site with the attached conditions is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in the Zoning Ordinance, or as is otherwise required in order to integrate said use with the uses in the surrounding area.
47. Regarding the CUP, based on the foregoing, the Board further finds that the proposed B&B Project Site with the attached conditions is adequately served by highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and by other public or private service facilities as are required.
48. Regarding the CUP, based on the foregoing, the Board further finds that the proposed B&B Project with the attached conditions is located and designed so as to protect the safety of current and future community residents, and will not create significant threats to life and/or property due to the presence of geologic, seismic, slope instability, fire, flood, mud flow, or erosion hazard; the proposed B&B Project is compatible with the natural, biotic, cultural, scenic, and open space resources of the area.
49. Regarding the CUP, based on the foregoing, the Board further finds that the proposed B&B Project with the attached conditions is conveniently served by neighborhood shopping and commercial facilities, can be provided with essential public services without imposing undue costs on the total community, and is consistent with the objectives and policies of the General Plan; and, the proposed development demonstrates creative and imaginative design, resulting in a visual quality that will complement community character and benefit current and future community residents.
50. Regarding the variance for the Home Project, the Board finds the following: because of special circumstances or exceptional characteristics applicable to the Home Project Site, strict application of the Zoning Ordinance deprives such property of privileges enjoyed by other property in the vicinity and under identical zoning classification; adjustment authorized by the Variance will not constitute a grant of special privilege inconsistent with the limitations upon other properties in the vicinity and zone in which the property is situated; strict application of zoning regulations as they apply to the Home Project Site will result in practical difficulties or unnecessary hardships inconsistent with the general purpose of such regulations and standards; and the adjustment will not be materially detrimental to the public health, safety, or general welfare, or to the use, enjoyment, or valuation of property of other persons located in the vicinity.

NOW THEREFORE, THE BOARD OF SUPERVISORS:

51. Certifies that the MND for the Project was completed in compliance with CEQA and the State and County CEQA Guidelines related thereto; certifies that it independently reviewed and considered the MND and that the MND reflects the independent judgment and analysis of the Board as to the environmental consequences of the Project; certifies that it considered the MMRP, finding that it is adequately designed to ensure compliance with the mitigation measures during Project implementation; determined that on the basis of the whole record before the Board that there is no substantial evidence that the Project will have a significant effect on the environment; certifies that it adopted the MND after the close of its public hearing, and finds that the MMRP is adequately designed to ensure compliance with the mitigation measures during Project implementation; and
52. Approves Conditional Use Permit No. 2015-00066-(3) for the B&B Project and Variance No. 2012-00004-(3) for the Home Project, subject to the attached conditions.

**CONDITIONS OF APPROVAL
PROJECT NO. R2012-01555-(3)
CONDITIONAL USE PERMIT NO. 2015-00066-(3)
VARIANCE NO. 2012-00004-(3)**

GENERAL CONDITIONS

1. This grant for Conditional Use Permit No. 2015-00066-(3) ("CUP") and Variance No. 2012-00004-(3) ("Variance") authorizes development of a new single-family residence with a bed and breakfast establishment on a parcel located at 1820 North Topanga Canyon Boulevard (via the CUP) and a new single-family residence located at 1832 North Topanga Canyon Boulevard (via the Variance) in the unincorporated north area of the Santa Monica Mountains.
2. Unless otherwise apparent from the context, the term "permittee" shall include the applicants, owners of the property, and any other person, corporation, or other entity making use of this grant. At the time of this grant, both parcels were under the same ownership.
3. This grant shall not be effective for any purpose until the permittee, and the owner of the subject properties if other than the permittees, have filed at the office of the Los Angeles County ("County") Department of Regional Planning ("Regional Planning") their affidavit stating that they are aware of and agree to accept all of the conditions of this grant, and that the conditions of the grant have been recorded as required by Condition No. 8, and until all required monies have been paid pursuant to Condition Nos. 11, 13, and 16. Notwithstanding the foregoing, this Condition No. 3 and Condition Nos. 5, 6, 11, and 13 shall be effective immediately upon the date of final approval of this grant by the County.
4. Unless otherwise apparent from the context, the term "date of final approval" shall mean the date the County's action becomes effective pursuant to Section 22.60.260 of the County Code.
5. The permittee shall defend, indemnify, and hold harmless the County, its agents, officers, and employees from any claim, action, or proceeding against the County or its agents, officers, or employees to attack, set aside, void, or annul this permit or variance approval, which action is brought within the applicable time period of Government Code section 65009 or any other applicable limitations period. The County shall promptly notify the permittee of any claim, action, or proceeding and the County shall reasonably cooperate in the defense. If the County fails to promptly notify the permittee of any claim, action, or proceeding, or if the County fails to cooperate reasonably in the defense, the permittee shall not thereafter be responsible to defend, indemnify, or hold harmless the County.
6. In the event that any claim, action, or proceeding as described above is filed against the County, the permittee shall within ten days of the filing make an initial

deposit with Regional Planning in the amount of up to \$5,000, from which actual costs and expenses shall be billed and deducted for the purpose of defraying the costs or expenses involved in Regional Planning's cooperation in the defense, including but not limited to, depositions, testimony, and other assistance provided to permittee or permittee's counsel.

If during the litigation process, actual costs or expenses incurred reach 80 percent of the amount on deposit, the permittee shall deposit additional funds sufficient to bring the balance up to the amount of \$5,000. There is no limit to the number of supplemental deposits that may be required prior to completion of the litigation.

At the sole discretion of the permittee, the amount of an initial or any supplemental deposit may exceed the minimum amounts defined herein. Additionally, the cost for collection and duplication of records and other related documents shall be paid by the permittee according to County Code Section 2.170.010.

7. If any material provision of this grant is held or declared to be invalid by a court of competent jurisdiction, the permit shall be void and the privileges granted hereunder shall lapse.
8. Prior to the use of this grant, the permittee, or the owner of the subject property if other than the permittee, shall record the terms and conditions of the grant in the office of the County Registrar-Recorder/County Clerk ("Recorder"). In addition, upon any transfer or lease of either property during the term of this grant, the permittee, or the owner of the subject property if other than the permittee, shall promptly provide a copy of the grant and its conditions to the transferee or lessee of the subject property.
9. The grant term for the conditional use permit shall terminate 30 years after the date of final approval by the County. Entitlement to use of the property at 1820 North Topanga Canyon Boulevard thereafter shall be subject to the regulations then in effect. If the permittee intends to continue bed and breakfast operations after such date, whether or not the permittee proposes any modifications to the use at that time, the permittee shall file a new conditional use permit application with Regional Planning, or shall otherwise comply with the applicable requirements at that time. Such application shall be filed at least six months prior to the expiration date of this grant and shall be accompanied by the required fee. In the event that the permittee seeks to discontinue or otherwise change the use, notice is hereby given that the use of such property may require additional or different permits and would be subject to the then-applicable regulations.
10. This grant shall expire unless used within two years from the date of final approval of the grant. A single one-year time extension may be requested in writing and with the payment of the applicable fee prior to such expiration date.

11. The subject property shall be maintained and operated in full compliance with the conditions of this grant and any law, statute, ordinance, or other regulation applicable to any development or activity on the subject property. Failure of the permittee to cease any development or activity not in full compliance shall be a violation of these conditions. Inspections of the bed and breakfast at 1820 North Topanga Canyon Boulevard shall be made to ensure compliance with the conditions of this grant as well as to ensure that any development undertaken on the subject property is in accordance with the approved site plan on file. The permittee shall deposit with the County the sum of \$2,400 for the cost of such inspections. The deposit shall be placed in a performance fund, which shall be used exclusively to compensate Regional Planning for all expenses incurred while inspecting the premises to determine the permittee's compliance with the conditions of approval. The fund provides for five biennial (one every other year) inspections for the first ten years and seven triennial (one every third year) inspections thereafter. Inspections shall be unannounced.

If additional inspections are required to ensure compliance with the conditions of this grant, or if any inspection discloses that the subject property is being used in violation of any one of the conditions of this grant, the permittee shall be financially responsible and shall reimburse Regional Planning for all additional enforcement efforts necessary to bring the subject property into compliance. The amount charged for additional inspections shall be \$200 per inspection, or the current recovery cost at the time any additional inspections are required, whichever is greater.

12. Prior to the issuance of any building permit(s), the permittee shall remit all applicable library facilities mitigation fees to the County Librarian, pursuant to Chapter 22.72 of the County Code. The permittee shall pay the fees in effect at the time of payment, pursuant to Section 22.72.030. Questions regarding fee payment can be directed to the County Librarian at (562) 940-8430. The permittee shall provide proof of payment upon request from Regional Planning.
13. Within three working days from the day after the date of final approval by the County, the permittee shall remit processing fees at the County Registrar-Recorder/County Clerk Office, payable to the County of Los Angeles, in connection with the filing and posting of a Notice of Determination ("NOD") for this project and its entitlements in compliance with section 21152 of the Public Resources Code. Unless a Certificate of Exemption is issued by the California Department of Fish and Wildlife pursuant to section 711.4 of the California Fish and Game Code, the permittee shall pay the fees in effect at the time of the filing of the NOD, as provided for in section 711.4 of the Fish and Game Code, currently \$2,285.25 (\$2,210.25 for a Negative Declaration or Mitigated Negative Declaration plus \$75 processing fee). No land use project subject to this requirement is final, vested, or operative until the fee is paid.

14. The permittee shall comply with all mitigation measures identified in the Mitigation Monitoring and Reporting Program ("MMRP"), which are incorporated by this reference as if set forth fully herein.
15. Within 30 days of the date of final approval of the grant by the County, the permittee shall record a covenant and agreement against each parcel, which attaches the MMRP and agrees to comply with the mitigation measures imposed by the Mitigated Negative Declaration for this project, in the office of the Recorder. Prior to recordation of the covenant, the permittee shall submit a draft copy of the covenant and agreement to Regional Planning for review and approval. As a means of ensuring the effectiveness of the mitigation measures, the permittee shall submit annual mitigation monitoring reports to Regional Planning for approval or as required. The reports shall describe the status of the permittee's compliance with the required mitigation measures.
16. The permittee shall deposit an initial sum of \$6,000 with Regional Planning within 30 days of the date of final approval of this grant to defray the cost of reviewing and verifying the information contained in the reports required by the MMRP. The permittee shall replenish the mitigation monitoring account if necessary until all mitigation measures have been implemented and completed.
17. Notice is hereby given that any person violating a provision of this grant is guilty of a misdemeanor. Notice is further given that the Regional Planning Commission ("Commission") or a Hearing Officer may, after conducting a public hearing, revoke or modify this grant, if the Commission or Hearing Officer finds that these conditions have been violated or that this grant has been exercised so as to be detrimental to the public's health or safety or so as to be a nuisance, or as otherwise authorized pursuant to Chapter 22.56 of Part 13 in Title 22 of the County Code ("Zoning Ordinance").
18. All development pursuant to this grant must be kept in full compliance with the County Fire Code to the satisfaction of said department.
19. All development pursuant to this grant shall conform with the requirements of the County Department of Public Works to the satisfaction of said department.
20. All development pursuant to this grant shall comply with the requirements of the Zoning Ordinance and of the specific zoning of the subject property, unless specifically modified by this grant, as set forth in these conditions, including each approved Exhibit "A" or revised Exhibit "A" approved by the Director of Regional Planning ("Director").
21. The permittee shall maintain the subject properties in a neat and orderly fashion. The permittee shall maintain free of litter all areas of the premises over which the permittee has control.
22. All structures, walls, and fences open to public view at the 1820 North Topanga Canyon Boulevard parcel shall remain free of graffiti or other extraneous

markings, drawings, or signage that was not approved by Regional Planning. These shall include any of the above that do not directly relate to the business being operated on the 1820 North Topanga Canyon Boulevard premises or that do not provide pertinent information about said premises. The only exceptions shall be seasonal decorations or signage provided under the auspices of a civic or non-profit organization.

In the event of graffiti or other extraneous markings occurring, the permittee shall remove or cover said markings, drawings, or signage within 24 hours of notification of such occurrence, weather permitting. Paint utilized in covering such markings shall be of a color that matches, as closely as possible, the color of the adjacent surfaces.

23. The subject property shall be developed and maintained in substantial conformance with each of the plans marked as Exhibit "A." If changes to any of the plans marked Exhibit "A" are required as a result of instruction given at the public hearing, three copies of a modified Exhibit "A" shall be submitted to Regional Planning within three months after the date of final approval by the County.
24. In the event that subsequent revisions to the approved Exhibit "A" are submitted, the permittee shall submit three copies of the proposed plans to the Director for review and approval. All revised plans must substantially conform to the originally approved Exhibit "A." All revised plans must be accompanied by the written authorization of the property owner(s) and applicable fee for such revision.

PERMIT SPECIFIC CONDITIONS

CONDITIONAL USE PERMIT FOR BED AND BREAKFAST

25. The CUP shall authorize the construction of one single-family residence with bed and breakfast accommodations on the parcel located at 1820 North Topanga Canyon Boulevard. The facility is limited to a maximum of five guest rooms. The building footprint for all structures and patio areas is limited to 6,464 square feet.
26. The permittee shall provide parking as required by the County Code, calculated at a parking ratio of one parking space per guest room. The bed and breakfast use will provide five guest rooms, requiring five guest parking spaces, which may be uncovered because this residential property consists of an area greater than one acre. The parking spaces shall be served by an all-weather driveway. If the permittee changes the operation of the bed and breakfast so as to require less parking than the minimum requirement, the permittee may submit an application for a Revised Exhibit "A" within 90 days of such occurrence.
27. The bed and breakfast facility shall be operated and maintained by the owner or lessee of the property and it shall constitute the primary residence of the owner or lessee.

28. The bed and breakfast facility shall contain not more than five guest rooms available for paying guests, which rooms shall be located within the primary residence and not in any accessory structures.
29. Stays for any paying guest shall not exceed 14 consecutive days and shall be not more than 30 days for such guests in any calendar year.
30. Kitchens and other cooking facilities are prohibited in any guest room within the bed and breakfast facility.
31. Serving or consumption of food or beverages, including alcoholic beverages, is restricted to residents and guests of the facility. Restaurants or similar operations that are open to the general public are prohibited.
32. At no time shall herbicides, pesticides, or rodenticides be used on any portion of the site, including any publicly dedicated trail easement, nor any operation, construction, or maintenance work performed by the County Parks and Recreation, the National Park Service, or other agency on such publicly dedicated trail easement.
33. The bed and breakfast facility shall be operated as a non-smoking facility at all times throughout the entire site.
34. Any events held at the bed and breakfast facility shall be restricted to residents and guests of the facility.
35. Swimming pools are prohibited on the 1820 North Topanga Canyon Boulevard parcel, and none shall be built or maintained.
36. Amplified music is prohibited after 10 p.m. daily; outdoor noise that can be heard on adjacent parcel is prohibited after 10 p.m. daily.

VARIANCE FOR THE SINGLE FAMILY RESIDENCE

37. The Variance authorizes development of a single-family residence at the 1832 North Topanga Boulevard parcel. Operation of a bed and breakfast at said residence is prohibited. No guest parking spaces shall be provided at the 1832 North Topanga Boulevard parcel.
38. Any structures located within the 50 foot-vertical protected area for the relevant significant ridgeline shall be limited to one-story and limited to 16.5 feet in height.
39. The total maximum square footage for all structures on the 1832 North Topanga Canyon parcel shall be 4,500 square feet, including all accessory structures.

ADDITIONAL CONDITIONS APPLICABLE TO THE VARIANCE AND CUP

40. The permittee shall comply with all conditions set forth in the attached County Fire Department letter dated September 10, 2014, to the satisfaction of said department.
41. The permittee shall comply with all conditions set forth in the attached County Public Health Department letter dated September 22, 2014, to the satisfaction of said department.
42. The permittee shall comply with all conditions set forth in the attached County Parks and Recreation Department letter dated December 3, 2014 to the satisfaction of the said department.
43. The permittee shall comply with all conditions set forth in the attached County Public Works Department letter dated December 3, 2014 to the satisfaction of the said department.
44. Prior to issuance of a certificate of occupancy, the permittee shall record reciprocal easements (or other appropriate legal document) establishing the shared ingress and egress between 1820 North Topanga Canyon Boulevard and 1832 North Topanga Canyon Boulevard.

Attachments:

Mitigation Monitoring and Reporting Program (Pages 1-15)
Fire Department Letter dated September 2, 2014 (Pages 1-4)
Public Health Department Letter dated September 22, 2014 (Pages 1-3)
Parks and Recreation Department Letter dated December 3, 2014 (Pages 1-3)
Public Works Department Letter dated December 3, 2014 (Pages 1-5)

MITIGATION MONITORING AND REPORTING PROGRAM (MMRP)
PROJECT NO. R2012-01555-(3)/ CASE NO. RVAR 201200004/ RCUP 201200144/ RENV NO. 201200263

#	Environmental Factor	Mitigation	Action Required	When Monitoring to Occur	Responsible Agency or Party	Monitoring Agency or Party
1.1	Aesthetics	Project shall comply with section 22.44.133.G and Part 9 of Chapter 22.44 (commencing with section 22.44.500) of the Los Angeles County Code (Dark Skies Ordinance). Exterior night lighting shall be minimized using low intensity (lights not exceeding 800 lumens) and low stature fixtures (2.5-3 ft. in height). Lights shall be directed downwards with good shielding against projection into the nighttime sky, surrounding properties, and undeveloped areas. Security lighting, if used, shall be on an infrared detector and may not be continuously illuminated except in cases of actual emergency. All entry way and porch lighting, and wall lights along the proposed residences, shall have an apron to direct light to areas where needed, and eliminate light spillage off site.	Regional Planning Staff will inspect lighting on-site. Provide lighting as specified.	Prior to issuance of Certificate of Occupancy.	Applicant and any subsequent owner(s)	Department of Regional Planning
1.2	Aesthetics	The proposed residences shall utilize earth-tone colors that blend in with the natural colors of the surrounding environment. The driveway and any exterior retaining walls shall also be of earth tone colors or materials that blend in with the natural color of the surrounding environment. Use of large reflective surfaces shall be avoided to prevent glare and potential for bird strikes.	Final site and elevation plans depicting earth tone colors of structures, walls and driveway must be submitted to Regional Planning for review and approval.	Prior to issuance of building permits	Applicant	Department of Regional Planning

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#	Environmental Factor	Mitigation	Action Required	When Monitoring to Occur	Responsible Agency or Party	Monitoring Agency or Party
1.3	Aesthetics	A landscape/fuel modification plan, utilizing locally indigenous native plants to the Santa Monica Mountains outside of fuel modification zones A and B, shall be reviewed and approved by the Biologist on Staff at Regional Planning, and by the Fuel Modification Unit of the Fire Department. No vineyards, orchards, or lawns shall be placed outside of fuel modification zones A & B. No invasive non-natives, California natives not indigenous to the project region, and cultivars of native plants that pose a hybridization potential with local genotypes are to be used. The DRP and Cal-IPC invasive plant lists shall be used to identify invasive plants, and a list of plants to avoid shall be attached to the landscape plan and identified as "Non-natives that are specifically prohibited include, but are not limited to, palm trees (<i>family Arecaceae</i>), pampas grass (<i>Cortaderia spp.</i>), Pepper trees (<i>Schinus spp.</i>), <i>Eucalyptus</i> spp. Landscape plan shall be implemented to provide effective screening of the residences from viewpoints along the Santa Maria Ridgeline trail and to provide additional screening from Topanga Canyon Boulevard while still meeting fire protection requirements. Oak trees are to be used in the landscape plan and shall be local and suitable for the native local setting, obtained from a local source (i.e. nursery).	A landscape/fuel modification plan shall be submitted to Regional Planning for review and approval by Staff Biologist.	Plans must be approved prior to issuance of building permits	Applicant	Department of Regional Planning
3.1	Air Quality	All off-road diesel powered engines used during construction and any excavation/grading phases must utilize aqueous diesel fuels.	Contractor shall retain receipts for fuel used in off-road diesel powered equipment.	During construction, contractor shall provide inspector from Regional Planning with receipt copies upon request.	Applicant	Department of Regional Planning

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#	Environmental Factor	Mitigation	Action Required	When Monitoring to Occur	Responsible Agency or Party	Monitoring Agency or Party
3.2	Air Quality	<p>The Project Developer shall implement measures to reduce the emissions of pollutants generated by heavy-duty diesel-powered equipment operating at the Project Site throughout the project construction phases. The Project Developer shall include in construction contracts the control measures required and recommended by the SCAQMD at the time of development. Examples of the types of measures currently required and recommended include the following:</p> <ul style="list-style-type: none"> A. Keep all construction equipment in proper tune in accordance with manufacturer's specifications. B. Require all on-site construction equipment to meet EPA Tier 2 or higher emissions standards. Contact SCAQMD for schedule adopted by other lead agencies in the South Coast Air Basin. C. Limit truck and equipment idling time to five minutes or less. D. Rely on the electricity infrastructure surrounding the construction sites rather than electrical generators powered by internal combustion engines to the extent feasible. 	<p>Copy of contract requiring emission and dust control measures shall be provided to Regional Planning Inspector in charge of mitigation monitoring. To be done in conjunction with Measure 3.3.</p>	<p>Copy of contract shall be provided to Regional Planning Inspector and verified prior to issuance of grading permits.</p>	Applicant	Department of Regional Planning.

MITIGATION MONITORING AND REPORTING PROGRAM (MMRP)
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#	Environmental Factor	Mitigation	Action Required	When Monitoring to Occur	Responsible Agency or Party	Monitoring Agency or Party
3.3	Air Quality	<p>The Project Developer shall implement fugitive dust control measures in accordance with SCAQMD Rule 403. The Project Developer shall include in construction contracts the control measures required and recommended by the SCAQMD at the time of development. Examples of the types of measures currently required and recommended include the following:</p> <ul style="list-style-type: none"> • Use watering to control dust generation. • Water active grading/excavation sites and unpaved surfaces at least three times daily. • Cover stockpiles with tarps or apply non-toxic chemical soil binders. • All trucks hauling dirt, sand, soil, or other loose materials are to be covered. • Sweep streets at the end of the day if visible soil is carried onto adjacent public paved roads, and all paved parking and staging areas (recommend water sweepers with reclaimed water). • Install wheel washers for all exiting trucks, or wash off the tires or tracks of all trucks and equipment leaving the site. • Install wind breaks at the windward sides of construction areas. • Suspend excavation and grading activity when winds (instantaneous gusts) exceed 15 miles per hour over a 30-minute period or more. 	Copy of contract requiring emission and dust control measures shall be provided to Regional Planning inspector in charge of mitigation monitoring. To be done in conjunction with Measure 3.3.	Copy of contract shall be provided to Regional Planning inspector and verified prior to issuance of grading permits.	Applicant	Department of Regional Planning
3.4	Air Quality	<p>An information sign shall be posted at entrance to the construction site that identifies the permitted construction hours and provides a telephone number to call the foreman and receive information about the construction project or to report complaints regarding excessive fugitive dust generation. Any reasonable complaints shall be rectified within 24 hours of their receipt by the construction site foreman. The sign shall also list the number to Regional Planning's Zoning Enforcement Division (213) 974-6483, and SCAQMD's Dust Control Division at (800) 288-7644, to report any complaints not rectified by the project foreman.</p>	Signs must be posted on-site at least two weeks prior to grading and construction activity, to remain until all activity is completed	Proof of signs posted, in at least three locations of project area, must be provided to inspector at Regional Planning.	Applicant	Department of Regional Planning, and SCAQMD if a complaint is received.

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#	Environmental Factor	Mitigation	Action Required	When Monitoring to Occur	Responsible Agency or Party	Monitoring Agency or Party
4.1	Biological Resources	Pre-construction surveys for biological resources are required and should include surveys for, and assessments of: lichen, bryophyte, and vascular plant floras, and surveys for assessments of impacts to vertebrate and invertebrate fauna. Several species of invertebrates, including insects and mollusks (such as <i>Helminthoglypta taskii taskii</i>), are known to occur in the area (Santa Monica Mountains).	Surveys are to be submitted to the Staff Biologist at the Department of Regional Planning.	Surveys for species and impacts must be cleared by Staff Biologist, and reported to Regional Planning Inspector for mitigation monitoring prior to issuance of grading permits.	Applicant	Department of Regional Planning
4.1A	Biological Resources	A spring survey for special-status plant species that may occur in the Project's impact area (as determined from the 9-quad analysis of CNDDDB) shall be conducted by a qualified botanist at appropriate times for detection of special-status species according to the CDFW document "Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities" and the botanical resource document "A Vegetation Classification for the Santa Monica Mountains", pp. 131-157 in <i>Flora and Ecology of the Santa Monica Mountains</i> , ed. D.A. Knapp. Southern California Botanists by Keeler-Wolf, Todd, Julie Evens, Julie Christian, Robert Taylor, Edward Reyes, and John Tiszler, 2007. Any occurrences of special-status plant species will be reported to CDFW on CNDDDB Field Survey Forms. A full report of the results of the survey shall go to the applicant, the LACDRP, and the CDFW. The botanist shall advise the applicant of any species for which the applicant needs a take permit. The applicant shall seek take permits from CDFW as appropriate for any plant species with endangered or threatened status.	Surveys are to be submitted to the Staff Biologist at the Department of Regional Planning. Regional Planning Staff Biologist will coordinate requirements for this mitigation with Cal Fish and Wildlife, and approve of qualified biologist.	Surveys for species and impacts must be cleared by Staff Biologist, and reported to Regional Planning Inspector for mitigation monitoring prior to issuance of grading permits.	Applicant	Department of Regional Planning, California Fish and Wildlife

MITIGATION MONITORING AND REPORTING PROGRAM (MMRP)
PROJECT NO. R2012-01555-(3)/ CASE NO. RVAR 201200004/ RCUP 201200144/ RENV NO. 201200263

#	Environmental Factor	Mitigation	Action Required	When Monitoring to Occur	Responsible Agency or Party	Monitoring Agency or Party
4.1B	Biological Resources	Attempts shall be made to salvage special status and common species of low mobility that may be killed or injured prior to initial Project related vegetation or ground disturbance. Salvaged species should be relocated to adjacent suitable habitat not subject to site disturbances. For State listed species covered by a State ITP, salvage activities would be required along with defined minimization measures under the ITP for those species. For State Species of Special Concern (SSC), authorization from CDFW is also necessary. A biologist's Scientific Collecting Permit specifically does not authorize moving (SCC) out of harm's way, but the CDFW regional office can review a proposal to salvage SCC and approve those actions. Such a proposal would describe any trapping or capture methods, recipient site information, release strategy, and any temporary housing of salvaged animals.	Regional Planning Staff Biologist will coordinate requirements for this mitigation with Cal Fish and Wildlife, and approve of qualified biologist.	Report of species present shall be reported to Staff biologist prior to any removals. Shall be performed prior to construction activities.	Applicant	Department of Regional Planning, California Fish and Wildlife
4.1C	Biological Resources	If an occupied desert woodrat nest is encountered in the pre-construction surveys, the Project will attempt to move the desert woodrats to a Project-constructed, alternative area for woodrat nests. Construction in the alternative area shall be of vertical rocks or horizontally-laid, cut trees in an appropriate location nearby, usually shaded, that will not be impacted. After construction of the alternative nest area, the Project biologist will supervise gentle nudging by front-end loader of the existing nest to encourage woodrats to move to a new area.	Regional Planning Staff Biologist will coordinate requirements for this mitigation with Cal Fish and Wildlife, and approve of qualified biologist.	Construction of alternate nest area and Monitoring plan for replacement nests shall be prepared immediately should implementation of this measure become necessary, and shall be reviewed and cleared by Staff biologist prior to issuance of any grading or building permits. Report by Staff Biologist for completion of mitigation measure will go to Regional Planning Inspector for clearance to Public Works' Building and Safety.	Applicant	Department of Regional Planning, California Fish and Wildlife

MITIGATION MONITORING AND REPORTING PROGRAM (MMRP)
PROJECT NO. R2012-01555-(3)/ CASE NO. RVAR 201200004/ RCUP 201200144/ RENV NO. 201200263

#	Environmental Factor	Mitigation	Action Required	When Monitoring to Occur	Responsible Agency or Party	Monitoring Agency or Party
4.2	Biological Resources	If bats are not detected, but the bat specialist determines that roosting bats may be present at any time of year, it is preferable to bring down trees or structures in a controlled manner using heavy machinery. In order to ensure the optimum warning for any roosting bats that may still be present, the trees or structures shall be nudged lightly two to three times, with a pause of approximately 30 seconds between each nudge to allow bats to become active. Trees or structures may then be pushed to the ground slowly under the supervision of a bat specialist. Felled trees shall remain in place until they are inspected by a bat specialist. Trees that are known to be bat roosts shall not be sawn up or mulched immediately. A period of at least 48 hours shall elapse prior to such operations to allow bats to escape. Bats shall be allowed to escape prior to demolition of buildings. This may be accomplished by placing one way exclusionary devices into areas where bats are entering a building that allow bats to exit but not enter the building.	Regional Planning Staff Biologist will coordinate requirements for this mitigation with Cal Fish and Wildlife, and approve bat specialist for surveys.	Report of bat roosting and surveys shall be cleared by Staff biologist prior to any removals.	Applicant	Department of Regional Planning, California Fish and Wildlife
4.2A	Biological Resources	If bats are not detected, but the bat specialist determines that roosting bats may be present at any time of year, it is preferable to bring down trees or structures in a controlled manner using heavy machinery. In order to ensure the optimum warning for any roosting bats that may still be present, the trees or structures shall be nudged lightly two to three times, with a pause of approximately 30 seconds between each nudge to allow bats to become active. Trees or structures may then be pushed to the ground slowly under the supervision of a bat specialist. Felled trees shall remain in place until they are inspected by a bat specialist. Trees that are known to be bat roosts shall not be sawn up or mulched immediately. A period of at least 48 hours shall elapse prior to such operations to allow bats to escape. Bats shall be allowed to escape prior to demolition of buildings. This may be accomplished by placing one way exclusionary devices into areas where bats are entering a building that allow bats to exit but not enter the building.	Regional Planning Staff Biologist will coordinate requirements for this mitigation with Cal Fish and Wildlife, and approve of bat specialist for surveys, or for presence on site during removal of any trees or structures.	Report of bat roosting and surveys shall be cleared by Staff biologist prior to any removals.	Applicant	Department of Regional Planning, California Fish and Wildlife

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#	Environmental Factor	Mitigation	Action Required	When Monitoring to Occur	Responsible Agency or Party	Monitoring Agency or Party
4.2B	Biological Resources	Maternity season for bats lasts from March 1 to September 30. Trees or structures determined to be maternity roosts shall be left in place until the end of the maternity season. A structure containing a hibernating colony shall be left in place until a qualified biologist determines that the bats are no longer hibernating.	Regional Planning Staff Biologist will coordinate requirements for this mitigation with Cal Fish and Wildlife, and approve of bat specialist or qualified biologist.	Report of bat roosting and surveys shall be cleared by Staff biologist prior to any removals.	Applicant	Department of Regional Planning, California Fish and Wildlife
4.2C	Biological Resources	The bat specialist shall document all demolition monitoring activities and prepare a summary report to the County upon completion of tree disturbance or building demolition activities. If Townsend's big-eared bat is detected during pre-construction surveys, all construction-related activity shall be halted immediately and CDFW shall be notified. Work may only resume subsequent to CDFW approval.	Regional Planning Staff Biologist will coordinate requirements for this mitigation with Cal Fish and Wildlife, and approve of bat specialist for surveys, or for presence on site during removal of any trees or structures.	Report of bat roosting and surveys shall be cleared by Staff biologist prior to any removals.	Applicant	Department of Regional Planning, California Fish and Wildlife

MITIGATION MONITORING AND REPORTING PROGRAM (MMRP)
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#	Environmental Factor	Mitigation	Action Required	When Monitoring to Occur	Responsible Agency or Party	Monitoring Agency or Party
4.2D	Biological Resources	<p>Bat Relocation—If confirmed occupied or formerly occupied bat roosting habitat is destroyed, artificial bat roosts of comparable size and quality shall be constructed and maintained at a suitable undisturbed area. The design and location of the artificial bat roosts shall be determined by the bat specialist in consultation with CDFW.</p> <p>In exceptional circumstances, such as when roosts cannot be avoided and bats cannot be evicted by non-invasive means, it may be necessary to capture and transfer the bats to appropriate natural or artificial bat roosting habitat in the surrounding area. Bats raising young or hibernating shall not be captured and relocated. Capture and relocation shall be performed by the bat specialist in coordination with CDFW, and shall be subject to approval by LACDRP and CDFW.</p> <p>A monitoring plan shall be prepared for the replacement roosts, which shall include performance standards for the use of the replacement roosts by the displaced species, as well as provisions to prevent harassment, predation, and disease of relocated bats.</p> <p>Annual reports detailing the success of roost replacement and bat relocation shall be prepared and submitted to LACDRP and CDFW for five years following relocation or until performance standards are met, whichever period is longer.</p>	Regional Planning Staff Biologist will coordinate requirements for this mitigation with Cal Fish and Wildlife, and approve of bat specialist for implementation of measure.	Design of artificial bat roosts and Monitoring plan for replacement roosts shall be prepared immediately should implementation of this measure become necessary, and shall be reviewed and cleared by Staff biologist prior to issuance of any grading or building permits. Report by Staff Biologist for completion of mitigation measure will go to Regional Planning Inspector for clearance to Public Works' Building and Safety.	Applicant	Department of Regional Planning, California Fish and Wildlife
4.3	Biological Resources	<p>Vegetation clearance for fuel modification requirements shall be done using hand tools to minimize soil disturbance. Department of Regional Planning Staff Biologist shall approve landscape/fuel modification plan, which shall show proposed brush clearance. All existing native vegetation shall be clearly depicted. Subsequent final approval by Fire Department's Fuel Modification Unit is required. All vegetation removal activities shall be scheduled outside the nesting season (September 1 to February 14 for songbirds; September 1 to January 14 for raptors) to the greatest extent feasible, to avoid potential impacts to nesting birds.</p>	Landscape/fuel modification plan shall indicate vegetation with use of hand tools, and must be submitted to Staff Biologist for review and approval. Final approval by Fire Department's Fuel Modification Unit.	Prior to issuance of grading permits, landscape plan and necessary fuel modification plan must be approved by Staff Biologist and reported to Regional Planning Inspector for mitigation monitoring.	Applicant	Department of Regional Planning

MITIGATION MONITORING AND REPORTING PROGRAM (MIMRP)
PROJECT NO. R2012-01555-(3)/ CASE NO. RVAR 201200004/ RCUP 201200144/ RENV NO. 201200263

#	Environmental Factor	Mitigation	Action Required	When Monitoring to Occur	Responsible Agency or Party	Monitoring Agency or Party
4.4	Biological Resources	Migratory nongame native bird species are protected by international treaty under the Federal Migratory Bird Treaty Act (MBTA) of 1918 (50 C.F.R. Section 10.13). Sections 3503, 3503.5, and 3513 of the California Fish and Game Code prohibit take of all birds and their active nests including raptors and other migratory nongame birds (as listed under the Federal MBTA).	Conduct pre-construction nesting bird surveys if construction to occur between February 1 and August 31; provide monitoring reports to Regional Planning Staff biologist who will coordinate measure Cal Fish and Wildlife.	Prior to and during construction	Applicant	Department of Regional Planning, California Fish and Wildlife
4.4 A	Biological Resources	Proposed project activities (including, but not limited to, staging and disturbances to native and nonnative vegetation, structures, and substrates) shall occur outside of the avian breeding season which generally runs from February 1 – August 31 (as early as January 1 for some raptors) to avoid take of birds or their eggs. Take means to hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture or kill (Fish and Game Code Section 86), and includes take of eggs or young resulting from disturbances which cause abandonment of active nests. Depending on the avian species present, a qualified biologist may determine that a change in the breeding season dates, specified above, is warranted.	Conduct pre-construction nesting bird surveys if construction to occur between February 1 and August 31; provide monitoring reports to Regional Planning staff biologist who will coordinate with Cal Fish and Wildlife.	Prior to and during construction	Applicant	Department of Regional Planning, California Fish and Wildlife
4.4 B	Biological Resources	If avoidance of the avian breeding season is not feasible, beginning thirty days prior to the initiation of project activities, a qualified biologist with experience in conducting breeding bird surveys shall conduct weekly pre-construction bird surveys to detect protected native birds occurring in suitable nesting habitat that is to be disturbed and (as access to adjacent areas allows) any other such habitat within 300 feet of the disturbance area (within 500 feet for raptors). The surveys shall continue on a weekly basis with the last survey being conducted no more than 3 days prior to the initiation of project activities.	Regional Planning Staff Biologist will coordinate requirements for this mitigation with Cal Fish and Wildlife, and approve of qualified biologist	Prior to and during construction	Applicant	Department of Regional Planning, California Fish and Wildlife

MITIGATION MONITORING AND REPORTING PROGRAM (MMRP)
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#	Environmental Factor	Mitigation	Action Required	When Monitoring to Occur	Responsible Agency or Party	Monitoring Agency or Party
4.4 C	Biological Resources	<p>If a protected native bird is found, the project proponent shall delay all project activities within 300 feet of on- and off-site suitable nesting habitat (within 500 feet for suitable raptor nesting habitat) until August 31. Alternatively, the qualified biologist could continue the surveys in order to locate any nests. If an active nest is located, project activities within 300 feet of the nest (within 500 feet for raptor nests) or as determined by a qualified biological monitor, must be postponed until the nest is vacated and juveniles have fledged and there is no evidence of a second attempt at nesting. Flagging, stakes, or construction fencing shall be used to demarcate the inside boundary of the buffer of 300 feet (or 500 feet) between the project activities and the nest. Project personnel, including all contractors working on site, shall be instructed on the sensitivity of the area and the biological monitor will also serve as a construction monitor during those periods when construction activities will occur near active nest areas to ensure that no inadvertent impacts on these nests will occur. The project proponent shall provide the results of the recommended protective measures described above to the Department of Regional Planning at its request to document compliance with applicable State and Federal laws pertaining to the protection of native birds. Survey results, and any avoidance measures taken, shall be submitted to CDFW within 30 days of completion of the pre-construction surveys and/or construction monitoring to document compliance with applicable state and federal laws pertaining to the protection of native birds.</p>	Regional Planning Staff Biologist will coordinate requirements for this mitigation with Cal Fish and Wildlife, and approve of qualified biologist	Prior to and during construction	Applicant	Department of Regional Planning, California Fish and Wildlife
4.4 D	Biological Resources	<p>If the biological monitor determines that a narrower buffer between the project activities and observed active nests is warranted, he or she shall submit a written explanation as to why (e.g., species-specific information; ambient conditions and birds' habituation to them; and the terrain, vegetation, and birds' lines of sight between the project activities and the nest and foraging areas) to the Department of Regional Planning and, upon request, CDFW. Based on the submitted information, the Department of Regional Planning (and CDFW, if CDFW requests) will determine whether to allow a narrower buffer.</p>	Conduct pre-construction nesting bird surveys if construction to occur between February 1 and August 31; provide monitoring reports to Regional Planning staff biologist who will coordinate with Cal Fish and Wildlife.	Prior to and during construction	Applicant	Department of Regional Planning, California Fish and Wildlife

MITIGATION MONITORING AND REPORTING PROGRAM (MMRP)
PROJECT NO. R2012-01555-(3)/ CASE NO. RVAR 201200004/ RCUP 201200144/ RENV NO. 201200263

#	Environmental Factor	Mitigation	Action Required	When Monitoring to Occur	Responsible Agency or Party	Monitoring Agency or Party
4.4 E	Biological Resources	The biological monitor shall be present on site during all grubbing and clearing of vegetation to ensure that these activities remain within the project footprint (i.e., outside the demarcated buffer) and that the flagging/stakes/fencing is being maintained, and to minimize the likelihood that active nests are abandoned or fail due to project activities. The biological monitor shall send weekly monitoring reports to the Department of Regional Planning, at its request, during the grubbing and clearing of vegetation, and shall notify the Department of Regional Planning immediately if project activities damage active avian nests.	Regional Planning Staff Biologist will coordinate requirements for this mitigation with Cal Fish and Wildlife, and approve of qualified biologist	Prior to and during construction	Applicant	Department of Regional Planning, California Fish and Wildlife
4.4 F	Biological Resources	Security fencing for the residences is to be limited to fuel-modification zones A and B. Any property perimeter fencing shall not impede wildlife movement (i.e. split rail type fencing). Fencing shall be depicted on site, landscape and fuel modification plans. Any fencing shall not have sharp points and shall cap any hollow metal fence posts to prevent wildlife entrapment. Any holes near the top of the posts shall be filled with bolts or similar objects to prevent entanglement of bird feet.	Delineate fencing location on site, landscape and fuel modification plans for approval by Regional Planning Staff Biologist	Plans must be approved prior to issuance of building permits.	Applicant	Department of Regional Planning
4.5	Biological Resources	Any Pool and/or Spa shall have a no-chlorine or low-chlorine purification system, with maintenance of proper pool water pH, calcium and alkalinity balance, to insure that runoff will not include excessive amounts of chemicals. Plans shall call for pool drainage using pumps and tank trucks, avoiding discharge into the native habitat.	Submit plans and proposed pool/spa purification system to be implemented.	Plans must be approved prior to issuance of building permits.	Applicant	Department of Public Health

MITIGATION MONITORING AND REPORTING PROGRAM (MMRP)
PROJECT NO. R2012-01555-(3)/ CASE NO.RVAR 201200004/ RCUP 201200144/ RENV NO. 201200263

#	Environmental Factor	Mitigation	Action Required	When Monitoring to Occur	Responsible Agency or Party	Monitoring Agency or Party
4.6	Biological Resources	No impact to ephemeral riparian areas is planned by project grading. Project will have a temporary erosion plan and be installing a runoff capture swale with plants or scavenge materials per Mitigation Measure 10.1. The Applicant shall apply for a Lake and Streambed Alteration Agreement (LSAA) with the CDFW to have confirmation that fuel modification will not be significantly impacting the ephemeral riparian drainage areas on and adjacent to the subject parcels. Applicant shall obtain the LSAA or letter of exemption prior to award of any grading or construction permit.	Regional Planning Staff Biologist will coordinate requirements for this mitigation with Cal Fish and Wildlife.	LSAA must be approved prior to issuance of any grading or construction permit.	Applicant	Department of Regional Planning, California Fish and Wildlife
5.1	Cultural Resources	In the event cultural resources are encountered during construction of the Project, all ground-disturbing activities within the vicinity of the find shall cease and a qualified archaeologist and Native American Monitor shall be notified of the find. The archaeologist, in consultation with the Native American Monitor shall make recommendations to the Lead Agency on the measures that shall be implemented to protect the discovered resources, including but not limited to recordation and excavation of the finds and evaluation and processing of the finds in accordance with § 15064.5 of the CEQA Guidelines. Potentially significant cultural resources consist of, but are not limited to, stone, bone, fossils, wood or shell artifacts or features, including hearths, structural remains, or historic dumpsites. If the resources are determined to be unique historic resources as defined under § 15064.5 of the CEQA Guidelines, Mitigation Measures shall be identified by the monitor and recommended to the Lead Agency. Appropriate Mitigation Measures for significant resources could include but not be limited to avoidance or capping, incorporation of the site in green space, parks, or open space, or data recovery excavations of the finds. No further earthwork shall occur in the area of the discovery until the Lead Agency approves the measures to protect these resources. Any archaeological artifacts recovered because of mitigation will be donated to a qualified scientific institution approved by the Lead Agency where they would be afforded long-term preservation to allow future scientific study. This Mitigation Measure shall apply to all Projects.	Archeological monitoring and Native American monitor when there is a find. Maintain log demonstrating compliance. Site inspection as needed.	During earthmoving activities	Applicant	Department of Regional Planning, NAHC

MITIGATION MONITORING AND REPORTING PROGRAM (MMRP)
PROJECT NO. R2012-01555-(3)/ CASE NO. RVAR 201200004/ RCUP 201200144/ RENV NO. 201200263

#	Environmental Factor	Mitigation	Action Required	When Monitoring to Occur	Responsible Agency or Party	Monitoring Agency or Party
10.1	Hydrology and Water Quality	<p>For protection of the Topanga Creek Watershed all residences proposed in proximity to riparian and jurisdictional stream resource areas shall have a runoff capture swale with plants or scavenger material that can be changed annually following the rainy season, and shall incorporate project design features with a drainage plan to ensure detention of storm water complies with current RWQCB requirements.</p> <p>A temporary erosion control plan during construction shall be implemented and in compliance with RWQCB requirements.</p> <p>Site septic facilities as far as possible from public open space and oak trees; incorporate T-filters and micropore treatments in order to protect water quality.</p>	Show swale and cistern on site and landscape plan to be reviewed by Staff Biologist.	Plans must be approved prior to issuance of building permits. Monitoring will also occur during construction.	Applicant	Department of Regional Planning
10.2	Hydrology and Water Quality	In addition to standard LID requirements, cisterns shall be utilized to capture the first three-quarter inches of rainwater runoff from all non-permeable surfaces for use in irrigation and firefighting purposes.	Show drainage and cistern on site and landscape plan to be reviewed by Staff Biologist.	Plans must be approved prior to issuance of building permits.	Applicant	Department of Regional Planning

MITIGATION MONITORING AND REPORTING PROGRAM (MMRP)
PROJECT NO. R2012-01555-(3)/ CASE NO. RVAR 201200004/ RCUP 201200144/ RENV NO. 201200263

#	Environmental Factor	Mitigation	Action Required	When Monitoring to Occur	Responsible Agency or Party	Monitoring Agency or Party
13.1	Noise	<p>Noise impacts during construction shall be mitigated to protect the nearby residences. In order to minimize construction noise impacts, the applicant shall implement the following mitigation measures into the written contract for construction:</p> <p>A. The applicant shall comply with all applicable sections of the County of Los Angeles noise control ordinance Title 12 Environmental Protection Noise Control (i.e. construction noise). In addition, standard construction noise attenuation measures should be included but not limited to the following:</p> <ol style="list-style-type: none"> 1) maintain equipment and follow the manufacturer's recommended noise muffling devices; 2) minimize equipment idling; 3) staging and delivery areas should be located as far as feasible from nearby residences and schedule deliveries during mid-day or mid morning; and 4) to the extent feasible, utilize electrical powered tools or equipment instead of diesel powered equipment for exterior work. <p>B. During grading and earth material hauling activities, it is suggested that such work be prohibited on any Sunday or legal holidays, or at any other time between weekday hours of 6:00 p.m. and 8:00 a.m. (ordinance indicates construction work prohibited between 7:00 p.m. and 7:00 a.m.). "Grading" means any excavating or filling of earth material or any combination thereof conducted at a site for construction or other improvements thereon.</p>	Copy of contract requiring noise control measures shall be provided to Regional Planning Inspector in charge of mitigation monitoring. To be done in conjunction with Measure 3.2.	Copy of contract shall be provided to Regional Planning Inspector and verified prior to issuance of grading permits.	Applicant	Department of Regional Planning
14	Mitigation Compliance	As a means of ensuring compliance of above mitigation measures, the applicant and subsequent owner(s) are responsible for submitting compliance report to the Department of Regional Planning for review, and for replenishing the mitigation monitoring account, as necessary, until all mitigation measures have been implemented and completed.	Submittal and approval of compliance report and replenishing mitigation monitoring account	Yearly and as required until all measures are completed.	Applicant and subsequent owner(s)	Department of Regional Planning



**COUNTY OF LOS ANGELES FIRE DEPARTMENT
FIRE PREVENTION DIVISION**

Land Development Unit
5823 Rickenbacker Road
Commerce, CA 90040
Telephone (323) 890-4243, Fax (323) 890-9783

PROJECT: R2012-01555

MAP DATE: September 2, 2014

LOCATION: 1820 & 1832 North Topanga Canyon Road, Topanga

REVISED CONDITIONS: Supersedes Fire Dept. Conditions Dated August 26, 2014

**THE FIRE DEPARTMENT RECOMMENDS CLEARANCE OF THIS PROJECT TO
PROCEED TO PUBLIC HEARING AS PRESENTLY SUBMITTED WITH THE
FOLLOWING CONDITIONS OF APPROVAL.**

CONDITIONS OF APPROVAL – ACCESS

1. Provide a minimum unobstructed width of 20 feet, exclusive of shoulders. The Fire Department vehicular access is to be within 150 feet of all portions of the exterior walls of the first story of the building, as measured by an approved route around the exterior of the building. Fire Code 503.1.1 & 503.2.1
2. All on-site Fire Department vehicular access roads shall be labeled as "Private Driveway and Fire Lane" on the site plan along with the widths clearly depicted on the plan. Labeling is necessary to assure the access availability for Fire Department use. The designation allows for appropriate signage prohibiting parking.
3. Fire Department vehicular access roads must be installed and maintained in a serviceable manner prior to and during the time of construction. Fire Code 501.4
4. The Fire Apparatus Access Roads and designated fire lanes shall be measured from flow line to flow line.
5. The required 20 foot wide driving surface shall be increased to 26 feet when fire hydrants are required. The 26 -foot width shall be maintained for a minimum of 25 linear feet on each side of the hydrant location.
6. The dimensions of the approved Fire Apparatus Access Roads shall be maintained as originally approved by the fire code official. Fire Code 503.2.2.1
7. Dead-end fire apparatus access roads in excess of 150 feet in length shall be provided with an approved Fire Department turnaround. Fire Code 503.2.5

Reviewed by: Wally Collins

Date: September 10, 2014

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**COUNTY OF LOS ANGELES FIRE DEPARTMENT
FIRE PREVENTION DIVISION**

Land Development Unit
5823 Rickenbacker Road
Commerce, CA 90040
Telephone (323) 890-4243, Fax (323) 890-9783

PROJECT: R2012-01555

MAP DATE: September 2, 2014

LOCATION: 1820 & 1832 North Topanga Canyon Road, Topanga

8. Fire Department vehicular access roads shall be provided with a 32 foot centerline turning radius. Fire Code 503.2.4
9. The gradient of Fire Department vehicle access roads shall not exceed 15 percent unless approved by the fire code official. Fire Code 503.2.7
10. Provide approved signs or other approved notices or markings that include the words "NO PARKING - FIRE LANE". Signs shall have a minimum dimension of 12 inches wide by 18 inches high and have red letters on a white reflective background. Signs shall be provided for fire apparatus access roads, to clearly indicate the entrance to such road, or prohibit the obstruction thereof and at intervals, as required by the Fire Inspector. Fire Code 503.3
11. A minimum 5 foot wide approved firefighter access walkway leading from the fire department access road to all required openings in the building's exterior walls shall be provided for firefighting and rescue purposes. Fire Code 504.1
12. Approved building address numbers, building numbers or approved building identification shall be provided and maintained so as to be plainly visible and legible from the street fronting the property. The numbers shall contrast with their background, be Arabic numerals or alphabet letters, and be a minimum of 4 inches high with a minimum stroke width of 0.5 inch. Fire Code 505.1

CONDITIONS OF APPROVAL - WATER

1. All hydrants shall measure 6"x 4"x 2-1/2" brass or bronze, conforming to current AWWA standard C503 or approved equal.
2. The required fire flow for the public fire hydrant for this development at this location is 2000 gallons per minute at 20 psi for duration of 2 hours, over and above the maximum daily domestic demand. Two (2) fire hydrants flowing simultaneously may be used to achieve the required fire flow.

Reviewed by: Wally Collins

Date: September 10, 2014

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**COUNTY OF LOS ANGELES FIRE DEPARTMENT
FIRE PREVENTION DIVISION**

Land Development Unit
5823 Rickenbacker Road
Commerce, CA 90040
Telephone (323) 890-4243, Fax (323) 890-9783

PROJECT: R2012-01555

MAP DATE: September 2, 2014

LOCATION: 1820 & 1832 North Topanga Canyon Road, Topanga

3. The required fire flow for the private on-site fire hydrant is 1250 gallons per minute at 20 psi for duration of 2 hours, over and above the maximum daily domestic demand.
4. The proposed project requires the installation of one (1) public fire hydrant and one (1) private on-site fire hydrant.
5. All required PUBLIC fire hydrants shall be installed, tested and accepted prior to beginning construction. Fire Code 501.4
6. All private on-site fire hydrants shall be installed, tested and approved prior to building occupancy. Fire Code 901.5.1
 - Plans showing underground piping for private on-site fire hydrant shall be submitted to the Sprinkler Plan Check Unit for review and approval prior to installation. Fire Code 901.2 & County of Los Angeles Fire Department Regulation 7
7. Per the building code, all single family residential unit, including the storage shed and bath house, are required to have an automatic fire sprinkler system installed.

Additional Information:

1. Once the project has been cleared by the County of Los Angeles Planning Commission, submit a minimum of three (3) copies of the water plan indicating the installation of the public fire hydrant on Topanga Canyon Road to the Department's Land Development Unit for review.
2. The building plans shall be submitted to the Department's Calabasas Fire Prevention Office for building plan check review. The phone number to the Calabasas Office is (818) 880-0341.

Reviewed by: Wally Collins

Date: September 10, 2014

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**COUNTY OF LOS ANGELES FIRE DEPARTMENT
FIRE PREVENTION DIVISION**

Land Development Unit
5823 Rickenbacker Road
Commerce, CA 90040
Telephone (323) 890-4243, Fax (323) 890-9783

PROJECT: R2012-01555

MAP DATE: September 2, 2014

LOCATION: 1820 & 1832 North Topanga Canyon Road, Topanga

3. Once the project has been cleared by the Department's Land Development Unit, the fire protection system plans for the fire sprinkler system and the installation of the on-site private fire hydrant shall be submitted to the Department's Commerce Fire Prevention Office for fire protection system plan check review. The phone number to the Commerce Fire Prevention Office - Fire Sprinkler Unit is (323) 890-4243.

For any questions regarding the report, please contact FPEA Wally Collins at (323) 890-4243 or at Wally.Collins@fire.lacounty.gov.

Reviewed by: Wally Collins

Date: September 10, 2014

Page 4 of 4



CYNTHIA A. HARDING, M.P.H.
Interim Director

JEFFREY D. GUNZENHAUSER, M.D., M.P.H.
Interim Health Officer

ANGELO J. BELLOMO, REHS, QEP
Director of Environmental Health

TERRI S. WILLIAMS, REHS
Assistant Director of Environmental Health

5050 Commerce Drive
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September 22, 2014

TO: Adrine Arakelian
Regional Planning Assistant II
Department of Regional Planning

FROM: Michelle Tsiebos, REHS, MPA (M.T.)
Environmental Health Division
Department of Public Health

SUBJECT: CUP CONSULTATION
PROJECT NO. R2012-01555/RCUP 201200144
Bed and Breakfast Project
1820-1832 N. Topanga Blvd., Topanga

- ☒ Public Health recommends approval of this CUP.
☐ Public Health does NOT recommend approval of this CUP.

The Department of Public Health has reviewed the information provided for the project identified above. The project proposal is to construct two new single story residences, each with a bed and breakfast establishment, over two contiguous hillside parcels by the same persons and under the same ownership. The Department has no objection to the approval of the CUP project contingent upon the project's compliance with the following conditions:

Drinking Water Program

The Drinking Water Program recommends approval of this CUP with the following condition:

Prior to public hearing, the applicant shall provide a current "Will Serve" letter from an approved water system/company attesting that potable water will be provided to the proposed project.

For questions regarding the above condition, please contact Richard Lavin or Epifanio Braganza at (626) 430-5420 or e-mail rlavin@ph.lacounty.gov or ebraganza@ph.lacounty.gov.

Recreational Water Program

The Recreational Water Program recommends approval of this CUP with the following condition:

The applicant shall comply with all Public Health requirements relating to the construction of the proposed swimming pool and spa. The applicant shall obtain project review approval prior to construction of the swimming pool and spa.

For questions regarding this condition, please contact the Recreational Water Program at (626) 430-5360.

Land Use Program

The Land Use Program recommends approval of this CUP contingent upon the following conditions:

The Land Use Program (the Program) has reviewed the report submitted for the above referenced project by Subsurface Designs Inc. dated January 28 and 29, 2013, for 1820 and 1832 N. Topanga Canyon Blvd., respectively. The data submitted tend to support a premise that the above referenced sites can support the installation of Onsite Wastewater Treatment Systems (OWTS) for the proposed use. Therefore, the Program has no objection to the approval of the CUP project contingent upon the following provisions:

1. Prior to the construction of the proposed buildings, storage and other structures, pool, spa and installation of the OWTS, the applicant shall complete a feasibility report in accordance with the requirements specified in the document titled, *"The Professional Guide to Requirements and Procedures for OWTS"* to include the present and 100% future expansion dispersal systems and shall submit to the Program (Calabasas office) for review and final approval.

During the review of submitted documents, the following discrepancies were noticed. Please make necessary corrections and incorporate all corrections into the feasibility report and submit to the Program for review and approval.

Note: The consent expressed herein is intended for the CUP project and does not authorize any land development, construction of any buildings or installation of OWTS. This review does not encompass all aspects of the land development review process. Therefore, additional corrections may arise during the project review for construction.

• The feasibility reports prepared by Subsurface Designs Inc. do not indicate the proposed "Bed & Breakfast" lodging use. The proposed OWTS shall be designed according to the intended use.

Note: The required size and capacity of the proposed OWTS shall be determined based on the factors including fixture unit count, number of rooms, visitors, employees, parking spaces, the type of food facilities and number of customers and meals served in each room, etc., either individually or in combination of one, two or more factors, whichever method results in the largest system capacity and in accordance with Table K-2 and K-3 of Appendix K of the Plumbing Code and requirements established by the Program.

Note: No OWTS, or part thereof, shall be located in any lot other than the lot that is the site of the building or structure served by such OWTS.

• The areas that have been graded previously are not identified. No dispersal system (Seepage pits) shall be located within fill.

- Groundwater monitoring has not been performed as required. The groundwater shall be monitored once the boring has been made and at least twice within the ensuing 5 days (once on 2nd day and once on 5th day).
- The percolation tests performed are not in conformance with the requirements established by the Program. The required data regarding the fill-up intervals, the volume of water metered in at each fill-up and depth to water readings prior to each fill-up has not been collected.
- 2. If due to the development, unforeseen geological limitations, required setbacks to oak trees, watercourse and surface/ground water concerns or for any other related reasons, conformance with all applicable requirements cannot be achieved, this consent shall be deemed void.
Note: Any future grading in the area where test borings are located may nullify the data that provided a basis for this consent. Moreover, any changes to the configuration of the proposed sewage disposal system shall render this consent void.
Note: If a public sewer connection becomes available within 200 feet of any part of the proposed building or exterior drainage prior to the installation of OWTS, all future wastewater drainage and piping shall be connected to such public sewer.
- 3. The applicant shall contact the Los Angeles Regional Water Control Board and file necessary documentation for a Waste Discharge Permit in order to obtain authorization prior to the commencement of the development.

For questions regarding the above section, please contact Eric Edwards or Vicente Banada at (626) 430-5380 or e-mail eedwards@ph.lacounty.gov or ybanada@ph.lacounty.gov.

Housing and Institutions Program

The project shall comply with all Public Health requirements relating to the operation of bed and breakfast establishments. Each proposed bed and breakfast establishment must be issued a Public Health License to operate by this Department prior to operation.

For questions regarding the above condition, please contact the Housing and Institutions Program at (626) 430-5590.

For any other questions regarding this report, please feel free to contact me at (626) 430-5382 or at mtsiebos@ph.lacounty.gov.



COUNTY OF LOS ANGELES
DEPARTMENT OF PARKS AND RECREATION

"Parks Make Life Better!"

Russ Guiney, Director

John Wicker, Chief Deputy Director



December 3, 2014

Sent via e-mail: aarakelian@planning.lacounty.gov

TO: Adrine Arakelian
Department of Regional Planning

FROM: Kathline J. King – Chief of Planning
Planning and Development Agency *K. King*

SUBJECT: **COUNTY PROJECT NO. R2012-01555**
CONDITIONAL USE PERMIT NO. RCUP 20120-0144
CARRIE L. AND WILLIAM CARRIER

The Department of Parks and Recreation (Department) has completed the review of the application and site plan for proposed development of two Bed and Breakfast structures on two (2) contiguous parcels (APN 4434-010-020 & APN 4434-010-019) totaling approximately 6.8 acres located respectively at 1820 & 1832 N. Topanga Canyon Blvd., Topanga, CA 90290. The Department is requiring recordation of a fifteen (15) foot wide trail easement centered primarily upon an existing dirt trail, as shown on page three within Exhibit "A" Trail Map for the National Park Service (NPS), "Santa Maria Canyon Trail."

The Department requests that the Department of Regional Planning include the following conditions as part of the conditional use permit:

Trail Easement Recordation Conditions

1. Prior to issuance of grading permit(s), the Applicant shall:
 - a. Dedicate to the County of Los Angeles a fifteen (15) foot wide multi-use (hiking, mountain biking, and equestrian) trail easement for purposes of the NPS Santa Maria Canyon Trail. The trail easement dedication document and the plat map and legal description shall be attached and submitted to the Department for review and acceptance on behalf of the NPS.
 - b. Dedications and the following language (in exact form) must be shown for the trail dedication in the easement document:

"We hereby dedicate to the County of Los Angeles a fifteen (15) foot wide multi-use (hiking, mountain biking and equestrian) easement for purposes of the "Santa Maria Canyon Trail," as shown on Exhibit "A" Trail Map. Full public access shall be provided in perpetuity within the multi-use trail easement."

Planning and Development Agency • 510 South Vermont Ave • Los Angeles, CA 90020-1975 • (213) 351-5198

Arakelian, Adrine
December 3, 2014
Pg. 2

- c. Collaborate with the Department's trail-planner to:
 - i. Confirm accurate trail alignment.
 - ii. Draft template easement document.
 - iii. Review and approve easement recordation documents.

Rationale for the Trail Conditions

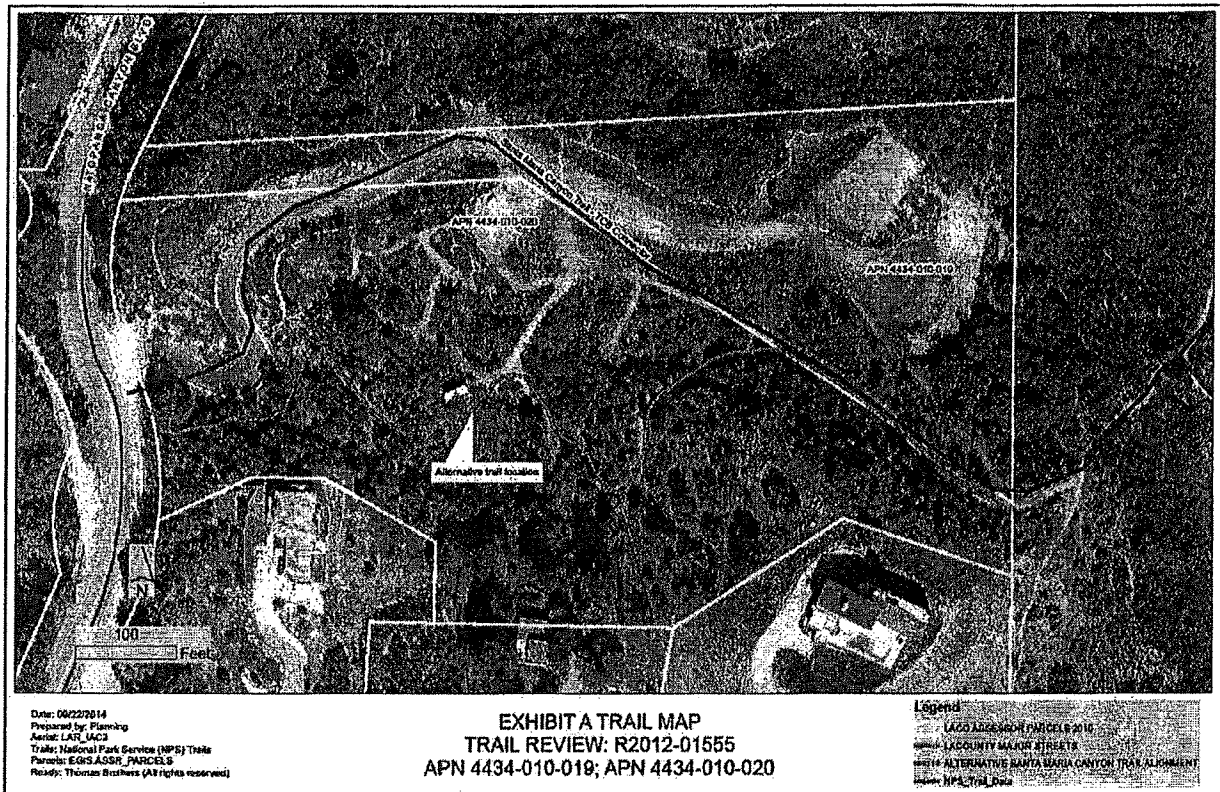
This trail easement requirement for the "Santa Maria Canyon Trail" is consistent with the National Park Service (NPS) Trail Plan for the Santa Monica Mountains, will provide public access (connectivity) to existing adjacent NPS trails, and is consistent with the Department's policy pertaining to inter-jurisdictional cooperation and collaborative efforts.

For any questions concerning trail alignment, conditions of trail approval, or to request a site visit, please contact Robert Ettleman, Park Planner, at (213) 351-5134 or rettleman@parks.lacounty.gov

RE:JY/ RCUP2012-00144/ Revised Site Plan, Topanga Community

c: Parks and Recreation: (N. E. Garcia, K. King, J. Yom, F. Moreno, R. Ettleman)
National Park Service: (M. Beck)

Arakelian, Adrine
December 3, 2014
Pg. 3





GAIL FARBER, Director

COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

900 SOUTH FREMONT AVENUE
ALHAMBRA, CALIFORNIA 91803-1331
Telephone: (626) 458-5100
<http://dpw.lacounty.gov>

ADDRESS ALL CORRESPONDENCE TO:
P.O. BOX 1460
ALHAMBRA, CALIFORNIA 91802-1460

IN REPLY PLEASE

REFER TO FILE: LD-2

December 3, 2014

TO: Mi Kim
Zoning Permits West Section
Department of Regional Planning

Attention Adrine Arakelian

FROM: Art Vander Vis
Land Development Division
Department of Public Works

A handwritten signature in black ink, appearing to read "Art Vander Vis", is written over the "FROM:" section of the letter.

**CONDITIONAL USE PERMIT (CUP) NO. 201200144
PROJECT NO. R2012-01555
1820 AND 1832 NORTH TOPANGA CANYON BOULEVARD
ASSESSOR'S MAP BOOK NO. 4434, PAGE 10, PARCEL NOS. 19 AND 20
UNINCORPORATED COUNTY COMMUNITY OF TOPANGA CANYON**

We reviewed the site plan for the proposed project located at 1820 and 1832 North Topanga Boulevard in the unincorporated County community of Topanga Canyon. The project is for the construction of 2 new single-family residences that will each serve as a bed and breakfast establishment with 5 guest rooms each.

This project was initially reviewed as a plot plan for 2 new single-family residences. The grading for the two building pads and a shared driveway extending from Topanga Canyon Boulevard to the proposed buildings was completed based on grading plans GR 0304180002 and GR 0604170004, but due to changes in the scope of the project and the design of the buildings, the final precise grading has not been approved. An egress/ingress easement, 30 feet wide, has been recorded between the two properties to allow access through the shared driveway (Instrument Nos. 20072277297 and 20072277298). A portion of the shared driveway (from Topanga Canyon Boulevard to first building located on parcel 20) has also been constructed/paved within the limits of this easement.

The scope of the project and the design of the two buildings have been modified to include bed and breakfast use. The addition of bed and breakfast use initiated a CUP review. To accommodate changes in the design of the buildings, additional grading is required. The proposed grading, which includes 500 cubic yards of cut and 500 cubic yards of fill, will be balanced on site and is for the grading modifications to the building pads and the extension of the shared driveway to the 2 new single-family residences.

- ☒ Public Works recommends approval of this CUP.
- ☐ Public Works does **NOT** recommend approval of this CUP.

Upon approval of the site plan, we recommend the following conditions. Comply with these conditions or as otherwise modified by Public Works:

1. Road

- 1.1 The driveway shall be restricted to right-turn ingress and egress only. Install applicable signs restricting vehicular access onsite and within the road right of way to the satisfaction of Caltrans and Public Works. Installation of any road signs or markings within the right of way will require signing and striping plans to be reviewed and approved by Caltrans.
- 1.2 Submit signing and striping plans to Caltrans for review and approval prior to the issuance of any grading or drainage permits. Installation of any signs within the road right of way will require Caltrans' approval.

For questions regarding the road conditions, please contact Teni Mardirosian of Public Works' Land Development Division at (626) 458-4910 or tmardirosian@dpw.lacounty.gov.

2. Grading

- 2.1 Submit a drainage and grading plan to Public Works for review and approval. The drainage and grading plan must show and call out the construction of at least all drainage devices and details, paved driveways, elevation and drainage of all pads, the water quality devices, and Low-Impact Development features if applicable. The applicant is required to show and call out all existing easements on the grading plan and obtain the easement holder approvals.

- 2.2 Provide a covenant and/or easement as applicable for any off-site grading work between the two properties, to the satisfaction of Public Works. It is the sole responsibility of the property owner to obtain any off-site covenants and/or easements to the satisfaction of Public Works.
- 2.3 Agency/regulatory permits or letters of nonjurisdiction may be required prior to grading plan approval.
- 2.4 Provide the latest hydrology study upon submission of the grading plan.
- 2.5 Conform with applicable Low-Impact Development requirements to the satisfaction of Public Works.
- 2.6 Provide a maintenance agreement for all privately maintained drainage devices, slopes, and other facilities to the satisfaction of Public Works.

For questions regarding the grading conditions, please contact Mrs. Mardirosian at (626) 458-4910 or tmardirosian@dpw.lacounty.gov.

3. Water

- 3.1 Comply with all the requirements listed on the attached Will Serve letter from the Los Angeles County Water District dated October 1, 2014, to the satisfaction of Public Works.

For questions regarding the water condition, please contact Massoud Esfahani of Land Development Division at (626) 458-4910 or mesfahan@dpw.lacounty.gov.

4. Drainage

- 4.1 Prior to issuance of building permits, a drainage and grading plan must be approved by Public Works to comply with the approved hydrology study dated July 10, 2014, to the satisfaction of Public Works or the latest approved revision if the infiltration rate differs from the approved hydrology study.

For questions regarding the drainage condition, please contact Toan Duong of Land Development Division at (626) 458-4921 or tduong@dpw.lacounty.gov.

Mi Kim
December 3, 2014
Page 4

5. Building and Safety

- 5.1 Submit plans to Public Works' Building and Safety Division, Calabasas District office, for review and permit issuance.

For questions regarding the building and safety condition, please contact Clint Lee of Public Works' Building and Safety Division at (626) 458-3154 or cllee@dpw.lacounty.gov.

If you have any other questions or require additional information, please contact Mrs. Mardirosian at (626) 458-4910 or tmardirosian@dpw.lacounty.gov.

TM:tb

P:\ldpub\SUBPCHECK\Plan\CUP\CUP 201200144\TCUP 201200144\14-09-03 Submittal\Project R2012-01555 CUP201200144 1820 and 1832.docx

Attach.

LOS ANGELES COUNTY WATERWORKS DISTRICTS *

P. O. Box 1460
Alhambra, CA 91802
Telephone: (626) 300-3306

260 East Avenue K-8
Lancaster, CA 93535
Telephone: (661) 942-1157

23533 Civic Center Way
Malibu, CA 90265
Telephone: (310) 317-1388

TO:

☒ Los Angeles County
Department of Health Services
Environmental Health: Mtn. & Rural/
Water, Sewage & Subdivision Program
5050 Commerce Drive
Baldwin Park, CA 91706-1423

☒ Los Angeles County
Department of Public Works
Building & Safety Division

☒ Los Angeles County
Fire Department

☐ City of Lancaster
Building Department
44933 N. Fern Ave.
Lancaster, CA 93534

☐ City of Malibu
Building Department
23815 W. Stuart Ranch Rd.
Malibu, CA 90265

☐ City of Palmdale
Building Department
38300 N. Sierra Hwy.
Palmdale, CA 93550

RE: 1820 & 1832 N. Topanga Canyon Blvd. Topanga 90290
Address City Zip Code


APN 4434-010-019 & 020

Assessor's Parcel Number

Los Angeles County Waterworks District No. 29, Malibu

Will serve water to the above *single lot* properties subject to the following:

- ☐ Annexation of the property into Los Angeles County Waterworks District is required. Water service to this property will not be issued until the annexation is completed.
- ☒ The appropriate connection fees have not been paid to Waterworks Districts.
- ☐ The appropriate connection fees have been paid to Waterworks Districts.
- ☒ Water system improvements will be required to be installed by the developer subject to the requirements set by the Fire Department and the District.
- ☒ The service connection and water meter serving the property must be installed in accordance with Waterwork's District standards.
- ☐ The property has an existing service connection and water meter.
- ☒ Public water system and sewage disposal system must be in compliance with Health Department separation requirements.
- ☐ A portion of the existing fronting water main may be required to be replaced if the water service tap cannot be made or if damage occurs to the water main.
- ☐ Property may experience low water pressure and / or shortage in high demand periods.
- ☐ The District CAN NOT serve water to this property at this time, installed by others.
- ☒ Existing water main is located on the west side of the street, owner needs to extend/install water main to the east side of the street and install required water system facilities (boring under the state highway is required).

By:  Tom Eng (626) 300-3355 10-1-14
Signature Print Name Phone Number Date

Rev. 03/05

*** THIS WILL SERVE LETTER WILL EXPIRE ONE YEAR AFTER THE DATE OF ISSUANCE.**